

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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-----X
LORI GARDNER-ALFRED AND JEANETTE DIAZ,

Plaintiffs,

-v-

FEDERAL RESERVE BANK OF NEW YORK,

Defendant.
-----X

22-cv-1585 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On May 17, 2023, the Court issued an order and opinion granting in part and denying in part Defendant's motion for sanctions. Dkt. No. 149.

On July 13, 2024, after reviewing the parties' submissions, the Court issued an order granting in part and denying in part Defendants' request for attorneys' fees and costs. Dkt. No. 173 (the "Order"). The Court held that "Defendant is entitled to \$53,808 in attorneys' fees and costs" and that "\$2,400 of those fees shall be paid by Plaintiffs' counsel without offset to Plaintiffs." *Id.* at 2.

On July 29, 2024, Defendant requested that the Court clarify that the Order constitutes a judgment under Federal Rule of Civil Procedure 58(a)(3). Dkt. No. 199.

Plaintiffs' letter dated August 5, 2024 does not dispute that the Order is an enforceable judgment. Dkt. No. 202; *see also Mason Tenders Dist. Council of Greater N.Y. v. Phase Constr. Servs., Inc.*, 2018 WL 4682012, at *2 (S.D.N.Y. Sept. 28, 2018) (holding that awards of attorneys' fees arising from sanctions are one "type of judgment for which a separate judgment document is not required" (citing *Perez v. AC Roosevelt Food Corp.*, 744 F.3d 39, 41 (2d Cir. 2013))).

The Court therefore confirms that the Order constitutes a judgment under Federal Rule of Civil Procedure 58(a)(3) and denies Defendant's alternative request for a separate judgment against Plaintiffs and Plaintiffs' counsel.

Plaintiffs' letter requests that the Court stay proceedings to execute on the judgment. Dkt. No. 202. That request presupposes (correctly) that the Order constitutes an enforceable judgment. The Court has authority under Federal Rule of Civil Procedure 62 to stay proceedings to enforce a judgment by providing a bond or other security. Fed. R. Civ. P. 62. Defendants shall have until August 9, 2024 to respond to Plaintiffs' request.

SO ORDERED.

Dated: August 6, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge